

AMENDED IN SENATE MARCH 28, 2006

SENATE BILL

No. 1835

Introduced by Senator Florez

February 24, 2006

An act to add Section 44013 to the Public Resources Code, relating to solid waste, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1835, as amended, Florez. Solid waste facility permit: enforcement agency.

~~Existing law~~

The existing California Integrated Waste Management Act of 1989 prohibits a person from operating a solid waste facility without a solid waste facilities permit if that facility is required to have a permit.

This bill would prohibit an enforcement agency, *as defined*, from issuing a solid waste facilities permit and the California Integrated Waste Management Board from concurring in the issuance of a solid waste facilities permit for a solid waste facility approved by ~~an~~ *a local* initiative measure, unless the solid waste facility is consistent with local, state, and federal law, including, but not limited to, local planning, zoning, ~~and development~~ *conditional use permit, and other* local requirements.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 44013 is added to the Public Resources
2 Code, to read:

3 44013. Notwithstanding subdivision (d) of Section 44009, or
4 any other provision of this chapter, the enforcement agency shall
5 not issue a solid waste facilities permit and the board shall not
6 concur in the issuance of a solid waste facilities permit for a solid
7 waste facility approved by ~~an~~ *a local* initiative measure, unless
8 the solid waste facility is consistent with local, state, and federal
9 law, including, but not limited to, local planning, zoning, ~~and~~
10 ~~development~~ *conditional use permit, and other local*
11 requirements.

12 SEC. 2. This act is an urgency statute necessary for the
13 immediate preservation of the public peace, health, or safety
14 within the meaning of Article IV of the Constitution and shall go
15 into immediate effect. The facts constituting the necessity are:

16 In order to protect public health and safety and the
17 environment, it is necessary for this act to take effect
18 immediately.